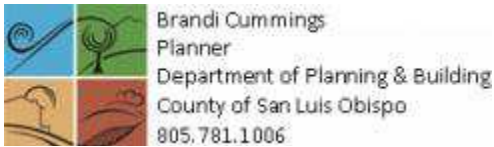


Nicole Retana

From: Brandi Cummings
Sent: Thursday, June 16, 2016 6:21 PM
To: Robert Fitzroy; Nicole Retana
Subject: Fw: Orellana SFD letter
Attachments: Orellana SFD Cambria letter 6.16.16.pdf

Importance: High

From Coastal - Orellana. I will bring a few copies as well.



From: Robinson, Daniel@Coastal <Daniel.Robinson@coastal.ca.gov>
Sent: Thursday, June 16, 2016 6:00 PM
To: Brandi Cummings; Robert Fitzroy; Airlin Singewald; Steve Mc Masters
Cc: Craig, Susan@Coastal; Kevin.Kahn_coastal.ca.gov
Subject: Orellana SFD letter

Hi folks, please see to it that this is distributed tomorrow morning prior to the hearing.

Again, we feel it is important to better understand (and agree on) the nature of the remaining properties in Cambria that find themselves in a unique water situation (be that pipeline project list/grandfathered/tract 1804, etc.) which could potentially be approved prior to a regular-CDP-approved water supply project. In the absence of this information, we feel it is best to postpone this hearing item at this time.

Thanks,
Daniel

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WWW.COASTAL.CA.GOV

**June 16, 2016**

Rob Fitzroy, Hearing Officer
Department of Planning and Building
976 Osos Street, Room 200
San Luis Obispo, CA 93408

Subject: Orellana SFD, 930 Drake Street, Cambria

Dear Rob:

We understand that the Planning Department will have a hearing on a proposed single-family residence located at 930 Drake Street in Cambria, on June 17th, 2016. We have previously submitted comments on this project (related to water adequacy concerns) and have had a previous discussion with County planning staff on this project. Specifically, we met with County staff in late April of this year in San Luis Obispo, at which time we reiterated that we had concerns regarding this project with respect to the proposed water meter transfer from the property at 367 Ivar Street. During that meeting, Commission staff and County staff discussed identifying a specific subset of properties in Cambria with grandfathered or other unique water status. To date, we have not received information regarding the number and circumstances of the above-mentioned subset of properties and thus we feel it is best for the County to postpone this hearing until such time as this information has been fully vetted and understood and importantly, agreed upon, by both County and Commission staff. We were under the impression based on this meeting that this information and analysis and collaboration would be undertaken and completed prior to the Orellana project or other Cambria development projects being taken to a hearing. In the absence of this information, we continue to have concerns that this project can be found consistent with the LCP at this time.

As recently as late 2014, Commission staff has written formal findings on the water issue in Cambria as it relates to new developments (e.g., Kingston Bay Senior Living Facility and Fox single-family residence). In those findings, staff determined that new development in Cambria, absent a fully approved regularly permitted water supply project, would be inconsistent with the LCP's requirement that there be an adequate water supply available to serve new development (LCP Public Works Policy 1). Not only is Cambria's water supply inadequate to meet the existing domestic demand of its urban users at this time, the current water supply is inadequate to ensure that pumping does not adversely affect coastal resources, such as the sensitive riparian habitats of Santa Rosa and San Simeon Creeks. The LCP prohibits approval of new development that has not demonstrated that there is adequate water supply, and the LCP expressly provides that failure to demonstrate an adequate water supply is grounds for denial.

Although the Commission and the County have in certain cases allowed "pipeline projects" to proceed as long as they verified their water demand offsets (which was initially required as a condition of approval and was later codified in the LCP as a development standard), such

approach was always interim and focused on projects that were actually in the pipeline in 2001. These projects were allowed in part because they were considered to be in the pipeline and it was considered a matter of procedural fairness provided they would result in no new net increase in water withdrawals.

This type of approach, when allowed, was always considered interim, including until more information regarding the effect that water withdrawals were having on coastal streams and related resources was better understood. In other words, it was acknowledged that there was a water supply problem, and a subset of no-net increase projects would be allowed in the short term, until more information about the extent of the water supply problem was known. It is now some fifteen years later and much more is known about the extent of the water supply problem in Cambria.

As a result of this knowledge, and in an effort to avoid such drastic consequences, Cambria has been under mandatory enhanced water conservation measures and restrictions since January 2014. Further, the CCSD warned that Cambria was going to likely run out of water sometime between mid-October and mid- December of 2014. This claim was the catalyst for the County's approval of an emergency CDP for an emergency water supply project (ZON2013- 00589). However, this emergency project requires substantial additional environmental and agency review before it can be recognized as permanent (via a regular CDP), and by the terms of the County's emergency CDP, ***water from this facility cannot be used to serve new development*** (emphasis added).

Moreover, as evidenced in the adopted findings for past appeal actions, the Commission considers more than just the adequacy of the water supply to meet Cambria's domestic water demand in its interpretation of CZLUO Section 23.04.430. The Commission has interpreted this standard to mean that the protection of significant coastal resources and coastal priority uses must also be considered when determining the adequacy of the water supply to support new development. Here, Santa Rosa and San Simeon Creeks lack adequate water flows to ensure the protection of important coastal resources, such as those creeks' sensitive riparian habitats. Also the proposed project is a residential use, raising questions as to whether adequate water is being reserved and maintained for coastal priority uses, as required by NCAP Planning Area Standard 2a.

In light of these facts, it cannot be concluded that any new development requiring water in Cambria, including ones originally on the "pipeline project list" (as was the 367 Ivar Street property) or ones that have paid retrofit fees or continuously paid water fees, can be found consistent with the County's certified LCP policies and standards requiring that there is adequate water capacity available to serve the new development. With such critical consequences looming currently, and without certainty of a fully recognized and approved water supply project, all reasonable measures to protect the community's remaining limited water supply and associated creek resources must be taken.